

# Calendar No. 1853

82D CONGRESS  
2d Session

SENATE

REPORT  
No. 1900

## ELVIRA SUZANNE OOSTERWYK

JUNE 27, 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

### REPORT

[To accompany H. R. 954]

The Committee on the Judiciary, to which was referred the bill (H. R. 954) for the relief of Elvira Suzanne Oosterwyk, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Elvira Suzanne Oosterwyk. The bill provides for an appropriate quota deduction and for the payment of the required visa fee and head tax.

#### STATEMENT OF FACTS

The beneficiary of the bill is a citizen of the Netherlands who was born in Germany on July 6, 1929. She last entered the United States as a visitor on March 6, 1950. She was originally admitted to the United States in 1929 for permanent residence and resided here until 1939 when she went to Germany for a visit. The war prevented her return to the United States. She has a brother here who is a native-born citizen and she resides with her mother in Ohio.

A letter dated February 21, 1952, to the chairman of the Committee on the Judiciary of the House of Representatives from the Deputy Attorney General with reference to the case reads as follows:

FEBRUARY 21, 1952.

HON. EMANUEL CELLER,  
*Chairman, Committee on the Judiciary,  
House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 954) for the relief of Elvira Suzanne Oosterwyk, an alien. The bill would grant the alien permanent residence in the United States.

The files of the Immigration and Naturalization Service of this Department disclose that Miss Oosterwyk, a citizen of the Netherlands, was born in Germany on July 6, 1929. Coming from Belgium, she was last admitted to the United

States at New York on March 6, 1950, as a visitor for a period of 6 months. She was accompanied by her mother who is the beneficiary of private bill H. R. 955.

Miss Oosterwyk resided in the United States as a permanent resident from September 1929 until September 1939, when she accompanied her parents to Germany. The alien, who is single, stated that since October 1, 1950, she has been employed as a housemaid and governess by Mr. and Mrs. Phillip Torchia, of Canton, Ohio, at a salary of \$20 a week plus room and board. It would appear that she also attends night school at McKinley High School in Canton. Miss Oosterwyk's mother resides in Navarre, Ohio, with her son, who is a native-born citizen of the United States. The alien's father resides in Belgium.

The quota for Germany, to which the alien is chargeable, is oversubscribed and an immigration visa is not readily obtainable. The record fails, however, to present considerations sufficient to justify the enactment of special legislation granting her a preference over other aliens chargeable to the same quota who desire to come to the United States for permanent residence but who remain abroad and await their regular turns in the issuance of immigration visas.

Accordingly this Department is unable to recommend enactment of the measure.

Sincerely,

A. DEVITT VANECH,  
*Deputy Attorney General.*

Congressman Frank T. Bow, the author of the bill, submitted to the chairman of the Committee on the Judiciary of the House of Representatives the following letter in connection with the bill:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES.  
*Washington, D. C., January 22, 1951.*

Re H. R. 954 and H. R. 955.

HON. EMANUEL CELLER,  
*Chairman, Committee on the Judiciary,  
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: On January 4, 1951, I introduced H. R. 954 for the relief of Elvira Suzanne Oosterwyk and H. R. 955 for the relief of Adele Van-dan Busch Oosterwyk.

Mrs. Adele Oosterwyk, a citizen of the Netherlands, came to this country in 1926 at the age of 18. In Canton, Ohio, she married Albert Oosterwyk, a citizen of the Netherlands. In 1929 she went to Germany to visit her relatives because several of them were seriously ill. About a month after arriving in Germany her daughter, Elvira Oosterwyk, was born in Germany. About a month later Mrs. Oosterwyk and her daughter returned to Canton, Ohio. About 2 years later a son, William Oosterwyk, was born in Canton, Ohio.

In 1939 the family returned to Germany to see Mrs. Oosterwyk's mother who was ill. War broke out while they were in Europe and they moved into the Netherlands and then into Belgium where they remained during entire World War II.

I might further indicate to you that when Mr. and Mrs. Oosterwyk went to Europe the last time the two children were then pupils of St. Joseph's school in Canton, Ohio. Had Europe not become involved in war in 1939, this family would have returned to this country.

As might be expected, during the war this family drew the suspicions of the Germans and they were under constant surveillance. Needless to say the family, who felt almost foreign in their own native land, welcomed the arrival of the liberating American troops. The Oosterwyks provided the American troops with many supplies such as chickens, milk, and other farm produce.

I believe an indication of the esteem in which Mrs. Oosterwyk is held by the American troops with whom she became acquainted was proved last April when Palmer Sandager, whose outfit was stationed for 5 days near the Oosterwyk home, came from California to Ohio to visit with Mrs. Oosterwyk. He had promised her that if she ever came to America he would look her up.

I believe sincerely that this is one of the cases in which inequities may be adjusted by the enactment of these private bills.

Sincerely yours,

FRANK T. BOW, M. C.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 954) should be enacted.